

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA)	
)	
v.)	Case No. 12-cr-114-WMC
)	
JEREMY J. HUART)	
)	
Defendant.)	
)	

PRELIMINARY ORDER OF FORFEITURE

Based upon the motion of the United States, the entire file in this case, and good cause appearing, the Court finds that:

1. On September 12, 2012, a federal grand jury sitting in Madison, Wisconsin, charged defendant Jeremy J. Huart in a one-count indictment with knowingly possessing an LG Model 200 cellular telephone on or about August 19, 2011, containing visual depictions that had been produced using materials which had been shipped and transported in interstate and foreign commerce, specifically the LG Model UN 200 cellular telephone bearing serial number 103-CYHE-0202057, and the production of such visual depictions involved the use of minors engaging in sexually explicit conduct, and the depictions were of such conduct, in violation of Title 18, United States Code, Section 2252(a)(4)(B). The indictment also contained a forfeiture allegation for the forfeiture of:
 - a. Any and all visual depictions which contain images which are or appear to be child pornography, together with the storage media in which they are contained; and

- b. the property used or intended to be used to commit or to promote the commission of the aforementioned offense, specifically described as a LG Model UN 200 bearing serial number 103-CYHE-0202057.

2. On February 13, 2013, the defendant entered a plea of guilty to Count 1 of the indictment, pursuant to a written plea agreement. In the plea agreement, the defendant agreed to forfeit a LG model UN 200 bearing serial number 103-CYHE-0202057 and a Samsung model SCH-R720 bearing serial number 26843546071523156.

IT IS THEREFORE ORDERED:

1. That based upon Jeremy Huart's guilty plea, and pursuant to Title 18, United States Code, Section 2253; Title 21, United States Code, Section 853; and Rule 32.2 of the Federal Rules of Criminal Procedure, the defendant forfeits to the United States his right, title, and interest in the following:

- a. Any and all visual depictions which contain images which are or appear to be child pornography, together with the storage media in which they are contained; and
- b. the property used or intended to be used to commit or to promote the commission of the aforementioned offense, specifically described as a LG Model UN 200 bearing serial number 103-CYHE-0202057 and a Samsung model SCH-R720 bearing serial number 26843546071523156.

2. The United States Marshals Service is directed to seize and take custody of the above-referenced property.

3. Pursuant to 21 U.S.C. § 853 (n), as incorporated by 18 U.S.C. § 2253(b), the United States shall publish notice of the order and of its intent to dispose of property in such a manner as the Attorney General may direct. Any other person, other than the

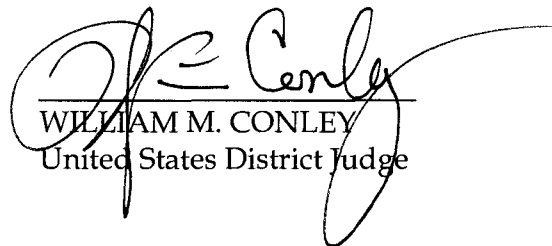
defendant, having or claiming a legal interest in any of the forfeited property must file a petition with the Court within thirty days of final publication notice or receipt of actual notice, whichever is earlier.

a. The petition shall be for a hearing to adjudicate the validity of a petitioner's alleged interest in the forfeited asset, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title, or interest in the forfeited asset and any additional facts supporting the petitioner's claim and the relief sought.

b. The United States may also, to the extent practicable, provide direct written notice to any person who has an alleged interest in the forfeited asset, as a substitute for published notice.

4. Upon adjudication of any and all third party interests, this Court will enter a Final Order of Forfeiture, pursuant to Title 21, United States Code, Section 853(n), in which all interests will be addressed.

ORDERED this 21st day of February 2013.


WILLIAM M. CONLEY
United States District Judge